

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION**

GWENDOLYN G. CARANCHINI)	
)	
Plaintiff,)	
)	
v.)	Case No. 4:10-CV-00672-DGK
)	(consolidated with 4:11-cv-0464)
BANK OF AMERICA, N.A., et al.)	
)	
Defendants.)	

ORDER GRANTING MOTION FOR SUMMARY JUDGMENT

Now before the Court is Defendants BAC Home Loan Servicing, LLC, Countrywide Home Loan Servicing, and Wilshire Credit Services' Motion for Summary Judgment (Doc. 339).¹ These Defendants seek summary judgment on all of Plaintiff's claims brought against them, contending that they no longer exist as entities because they have been subsumed by name change or merger into Defendant Bank of America, N.A. Defendants also note that "because Plaintiff has also named Bank of America, N.A., in this action, she will not suffer any prejudice from the dismissal of the non-existent Defendants" (Doc. 440 at 5).

Plaintiff pro se Gwendolyn Caranchini opposes the motion. Although her response does not conform to Local Rule 56.1, the Court will address the one non-frivolous argument she raises in response, namely that these Defendants still exist as independent entities. Plaintiff argues BAC Home Loan Servicing, LLC and Countrywide Home Loan Servicing have intervened in various cases around the country after they claim to have been subsumed into Bank of America, N.A. As proof, she has submitted a motion from an Oregon state case where an entity named "BAC Home Loans Servicing, LP FKA Countrywide Home Loans Servicing LP" moved to

¹ In ruling on the motion, the Court has carefully considered Defendants' suggestions in support (Doc. 340), Plaintiff's opposition (Doc. 388), and Defendants' reply (Doc. 395).

intervene on March 4, 2013. She also submitted an opinion from an Indiana state court of appeals case in which “Countrywide Home Loans, Inc.” is listed as the appellant. While these entities have similar names to the Defendants in this case, they are different entities. Thus, there is no merit to Plaintiff’s argument.

Defendants’ motion is GRANTED. The Court grants Defendants BAC Home Loan Servicing, LLC, Countrywide Home Loan Servicing, and Wilshire Credit Services summary judgment in their favor and against Plaintiff on all claims.

IT IS SO ORDERED.

Date: September 26, 2013

/s/ Greg Kays
GREG KAYS, JUDGE
UNITED STATES DISTRICT COURT